

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4894 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

DINESH D PATEL

Versus

TECH EXAMINATION BOARD

Appearance:

MR DV MEHTA for Petitioner

MR ND GOHIL for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 15/10/96

ORAL JUDGMENT

Heard learned counsel for the parties. The petitioner filed this Special Civil Application in which prayer has been made that the respondent No.1 be directed to declare result of the petitioner and quash and set aside the order annexure 'B'. The petitioner was student in DEE course and the respondent No.1-Board takes the examination for the students of State of Gujarat. The petitioner has appeared in the paper of Transmission of

Power & Control on 3.6.86 and he was alleged to have used unfair means in the examination. Under annexure 'B', impugned in this Special Civil Application, the result of the examination of diploma was cancelled and as a punishment for one year the petitioner debarred from appearing in the examination to be held by the Board.

2. The writ petition has been admitted on 30.9.86 and interim relief in terms of para 8(B) has been granted. Para 8(B) in Special Civil Application reads as under:

"Pending the hearing and final disposal of this petition, stay the operation and implementation of Annexure B."

The operation of the order annexure 'B' has been stayed meaning thereby now the petitioner would have completed all his studies and the counsel for the petitioner has also fairly conceded that he has no instruction whatsoever in the present case from the petitioner and rightly so. The petitioner now will not come to the counsel as he has been given final relief at interim stage by order aforesaid and as such, nothing now survives to be decided in this Special Civil Application except to pass order that it stands disposed of in terms of the order of this Court dated 30.9.86. Rule stands disposed of accordingly with no order as to costs.

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(sunil)